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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,674	12/01/2003	Patricia A. Stark	PD45/04	2389
7590	09/26/2005		EXAMINER BOCHNA, DAVID	
Edward P. Dutkiewicz 640 Douglas Avenue Dunedin, FL 34698			ART UNIT 3679	PAPER NUMBER

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,674

Applicant(s)

STARK ET AL.

Examiner

David E. Bochna

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jameson et al. in view of Loker et al.

Jameson et al. discloses a material feed hose material from one location to material heated and isolated, system for allowing a user to move another location while keeping the comprising in combination:

a multilayered hose having an inflow end and an outflow end and an intermediate length there between, the hose central pathway there through to allow the passage through the hose, the hose having an inner layer 20 forming a smooth inner surface of the hose pathway and an intermediate insulating having a of material layer and an armored crush-resistant outer layer 55 with a heating layer disposed between the inner layer 20 and the intermediate layer 32;

a power source 42, 48 coupled to the heating layer by a wire;
a pair of hollow tubular fittings 76, with a fitting coupled to each end of the multilayered hose, each of the fittings fabricated of a rigid material and having a generally hollow tubular configuration with an inner end and an outer end;

a pair of hose clamps 62a, 62b each clamp comprising a pair of like-configured halves with each half having an inner end and an outer end and an inner surface and an outer surface,

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the halves being mated along a longitudinal axis so that when coupled the halves form a tubular hollow recess within, with an aperture on the inner end of the clamp and an aperture on the outer end of the clamp, each half of the clamp having least one pair of threaded fastening means 67 associated there with, with one half of the clamp having at least one pair of screw holes there through and the other half of the clamp having at least one pair of female threaded screw-receiving bosses for coupling and holding the clamp halves together. Jameson et al. does not specifically disclose that each fitting has a smooth inner surface forming a hollow tubular material pathway, the inner surface having a radius beveled inlet to reduce the area of diminished flow within the hose and a stepped outer surface to provide a gripping surface thereto. Loker et al. teaches that supplying a fitting 1 with a smooth inner surface with an internal radiused beveled inlet 13 (see fig 1 of Loker et al. where the left end of the fitting designated by 13 has an internal beveled inlet that starts with a larger diameter and slopes down to a smaller diameter) and a stepped outer surface 17B to provide a gripping surface is common and well known in the art. Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the fitting of Jameson et al. to include a the beveled inlet and stepped outer surface because the practice of supplying these features on a fitting is well known and common in the art, as demonstrated by Jameson et al.

Response to Arguments

3. Applicant's arguments filed 7/19/05 have been fully considered but they are not persuasive. Applicant argues that Loker et al. does not teach having an inside surface bevel. The Examiner disagrees. Loker et al. does teach using an inside surface bevel as explained in further detail in the prior art rejection section above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "David Bochna", with a stylized flourish at the end.

David E. Bochna
Primary Examiner
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